CITY OF AUSTIN Board of Adjustment/Sign Review Board Decision Sheet

DATE: Monday, April 14, 2015	CASE NUMBER: C15-2015-0035
Jeff Jack - Chair Michael Von Ohlen Melissa Whaley Hawthorne - Vice Sallie Burchett Ricardo De Camps X Brian King (OUT) X Vincent Harding (OUT) Will Schnier - Alternate Stuart Hampton - Alternate	encrencearringen projektivanstelle distribuse of encrencearring and consideration of the cons
APPLICANT: John Taylor Jackson	
OWNER: Kacee Jackson	
ADDRESS: 2007 12TH ST	
VARIANCE REQUESTED: The applicant 25-2-492 (D) (Site Development Regulation yard from 15 feet (required) to 5 feet (requally home next to an unimproved right Residence – Neighborhood Plan zoning	ons) to decrease the minimum street side uested) in order to construct a single of way in an "SF-3-NP", Family
motion to Postpone to April 13, 2015, Board	was closed on Board Member Sallie Burchett I Member Will Schnier second on a 7-0 vote; 13, 2015 POSTPONED TO June 8, 2015 AT
FINDING:	
1. The Zoning regulations applicable to the because:	property do not allow for a reasonable use
2. (a) The hardship for which the variance is	s requested is unique to the property in that:
(b) The hardship is not general to the are	ea in which the property is located because:
3. The variance will not alter the character of impair the use of adjacent conforming protection the regulations of the zoning district in whether the character of the regulations of the zoning district in which is the character of the characte	operty, and will not impair the purpose of

Chairman

C15-2015-0035

Heldenfels, Leane

From:

Taylor (staylor)ackson@gmail.com>

Sent:

Friday, May 01, 2015 9:39 AM

To:

Heldenfels, Leane

Subject:

2007 E 12th Postponement

Hi Leane,

I need to postpone my variance hearing another month. Please let me know what further steps to take.

Thanks, and have a nice weekend.

Taylor

C15-2015-035

Heldenfels, Leane

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Taylor

Sent:

Tuesday, April 07, 2015 9:40 PM

To:

Heldenfels, Leane

Subject:

2007 E 12th Street - Postpone

Hi Leane,

Hope all is well.

I need to postpone my hearing for this month. Please let me know if any further action is required on my part.

Thanks,

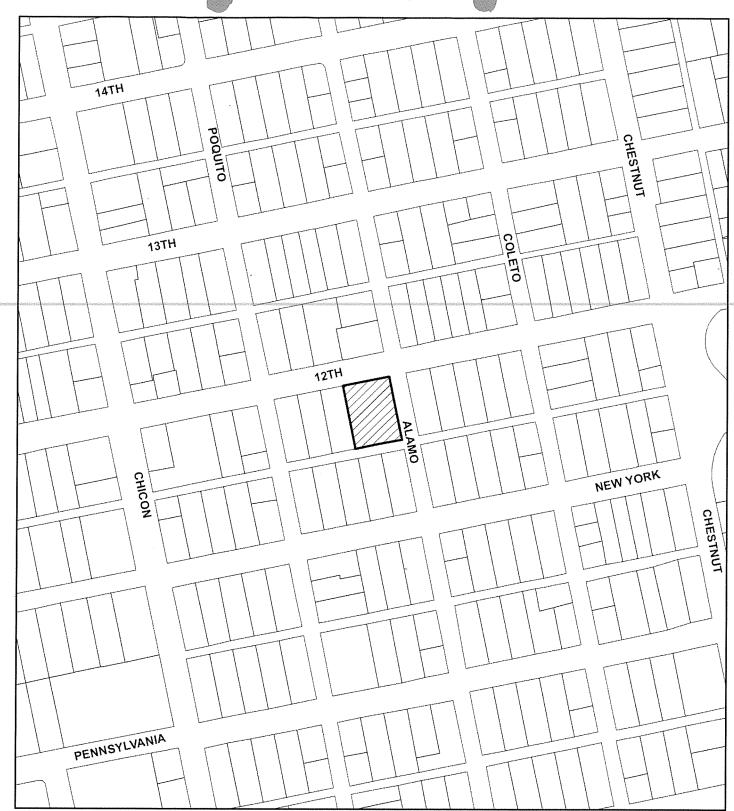
Taylor

CITY OF AUSTIN Board of Adjustment/Sign Review Board Decision Sheet

DATE: Monday, March 9, 2015	CASE NUMBER: C15-2015-0035
Y Jeff Jack - ChairY Michael Von OhlenY Melissa Whaley Hawthorne - Vice ChairY Sallie Burchett _OUT Ricardo De Camps _OUT Brian KingY Vincent HardingY Will Schnier - AlternateY Stuart Hampton - Alternate	nasenacionasaccie Meserà coci de conscionista escis escoli escos sus disegricos de consensació diconocimico de el consensació de consensació
APPLICANT: John Taylor	
OWNER: Kacee Jackson	
ADDRESS: 2007 12TH ST	
VARIANCE REQUESTED: The applicant has requested 25-2-492 (D) (Site Development Regulations) to desired from 15 feet (required) to 5 feet (requested) family home next to an unimproved right of way in Residence – Neighborhood Plan zoning district.	ecrease the minimum street side in order to construct a single in an "SF-3-NP", Family
BOARD'S DECISION: The public hearing was closed motion to Postpone to April 13, 2015, Board Member V POSTPONED TO APRIL 13, 2015.	
FINDING:	
 The Zoning regulations applicable to the property because: 	do not allow for a reasonable use
2. (a) The hardship for which the variance is request	ted is unique to the property in that:
(b) The hardship is not general to the area in which	ch the property is located because:
3. The variance will not alter the character of the are impair the use of adjacent conforming property at the regulations of the zoning district in which the	nd will not impair the purpose of

Leane Heldenfels Executive Liaison

Jeff Jack Chairman





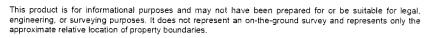
/// SUBJECT TRACT

PENDING CASE

ZONING BOUNDARY

CASE#: C15-2015-0035

Address: 2007 E 12TH STREET

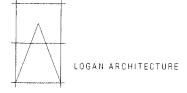




This product has been produced by CTM for the sole purpose of geographic reference. No warranty is made by the City of Austin regarding specific accuracy or completeness.



EAST 12TH STREET 107.60 ADDRESS: 2007 EAST 12TH STREET ZONING: LR-MU-NP SITE AREA: TCAD .3656 Acres/ 15,925 sf **BUILDING SETBACK** EACH LOT AREA: 15,925/2=7,962.5 EASEMENT 25'-0", 10 NEIGHBORHOOD: ROSEWOOD NEIGHBORHOOD PLAN: YES COMBINING DISTRICT: MIXED-USE INTENDED USE: TWO FAMILY RESIDENTIAL USE ALAMO FLOODPLAIN: NO 20' - 0" RESIDENTIAL DESIGN STANDARDS: YES SF-3 ZONING REGULATIONS: USED AS (TWO FAMILY RESIDENTIAL USE) STREET CHURCH MIN LOT SIZE: 5,750SF (7,000SF) MIN LOT WIDTH: 50FT MAX HEIGHT: 40FT OR 3 STORIES FRONT YARD SETBACK: 25FT STREET SIDE YARD SETBACK: 15FT 968 SF IMPERVIOUS NOT INTERIOR SIDE YARD SETBACK: 5 FT REAR SIDE YARD SETBACK: 10FT MAX BUILDING COVERAGE: 40% MAX IMPERVIOUS COVER: 45% = 3,583.1SF /LOT 533, MAX F.A.R.: 0.4:1 LDC 25-2 SUBCH. F APPLIES REQUIRED PARKING: (APPENDIX A - 2 FAMILY RESIDENTIAL): 2 SPACES PER DWELLING 936 SF SF IMPERVIOUS 148.00 150 LOT 6 TOTAL IMPERVIOUS AREA: 3.518SF =44.18% LOT 7 TOTAL IMPERVIOUS AREA: 3,570SF =44,83% 5' - 0" REQUESTED BUILDING SETBACK 550 SF IMPERVIOUS 625 SF IMPERVIOUS O BUILDING SETBACK 18' - 0" 0" BUILDING SETBACK 107.60 20' ALLEY Site Plan 1" = 20'-0"

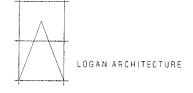


2007 EAST 12TH JACKSON RESIDENTIAL

03.04.15

A1





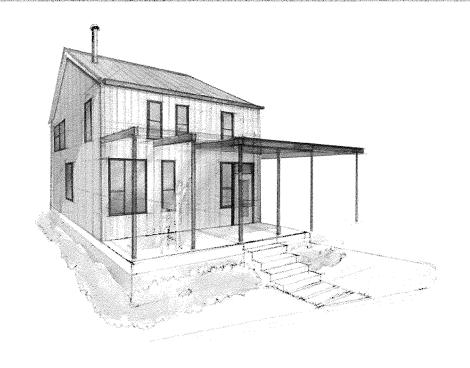
2007 EAST 12TH JACKSON RESIDENTIAL

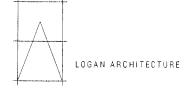
03.04.15

A2

IOT FOR REGULATORY APPROVAL, PERMITTING , OR CONSTRUCTION

O LOGAN ARCHITECTURE, PLL





2007 EAST 12TH JACKSON RESIDENTIAL

03.04.15

A3



Aerial View



From: Taylor jtaylorjackson@gmail.com Subject: Re: Transportation Question Date: January 15, 2015 at 8:53 PM

To: Austin, Lee Lee.Austin@austintexas.gov

Hi Lee,

Thank you this info. It's exactly what I was looking for.

Taylor

On Jan 13, 2015, at 6:51 PM, Austin, Lee <Lee.Austin@austintexas.gov> wrote:

Hi Taylor,

In general, the Austin Transportation Department does not build local streets; we rely on builders to build our local streets for us. While we will retain the current Alamo St right of way for pedestrian or bicycle connectivity, there are currently no plans to complete Alamo Street between East 12th Street and New York Avenue. I hope this is of use for you. Thank you,

A. Lee Austin, P.E.

Traffic Engineering Division Transportation Department Austin, TX 512-974-7681 -----Original Message----

From: Taylor [mailto:jtaylorjackson@gmail.com] Sent: Thursday, January 08, 2015 10:07 AM

To: Austin, Lee

Subject: Transportation Question

Hi Lee,

I hope this note finds you well. Both Andy Halm and Amber Mitchell suggested I contact you, and I left you a voicemail this morning.

I have a property (2007 E 12th Street) that is abutted by a street (Alamo) that was never opened. It's currently just a grassy drainage easement. Because city plat maps show a street, I am required to abide by a 15 ft side street building setback as opposed to the normal 5 ft side yard setback. I am applying for a variance, and verifying that the city has no plans to build out the street will help my case. Would you be able to provide any information to that end, or to point me in the right direction?

Feel free to give me a ring if that's more convenient; 512.461.4255. Thanks for your input.

Kind regards,

Taylor

revised

C(5-CASE#_20(5-00 35 ROW#_____ TAX#_____

CITY OF AUSTIN APPLICATION TO BOARD OF ADJUSTMENT GENERAL VARIANCE/PARKING VARIANCE

WARNING: Filing of this appeal stops all affected construction activity.

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED

INFORMATION COMPLETED.
STREET ADDRESS: 2007 E 12 th Street 78702
LEGAL DESCRIPTION: Subdivision – Foster Lot(s) 6 & 7 Block 15 Outlot 58 Division B
I/We John Taylor Jackson on behalf of myself/ourselves as authorized agent for
Kacee Jackson affirm that on January, 22,
2015 hereby apply for a hearing before the Board of Adjustment for consideration to:
(check appropriate items below and state what portion of the Land Development Code you are seeking a variance from)
✓ ERECTATTACHCOMPLETEREMODELMAINTAIN
Erect a two-family dwelling (Single Family Residence plus Accessory Dwelling Unit) with a 5'
street setback. (Alamo Street, adjacent to the property, was never built out).
in a <u>LR - MU - NP</u> district. (zoning district)
NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.

VARIANCE FINDINGS: I contend that my entitlement to the requested variance is based on the following findings (see page 5 of application for explanation of findings):

REASONABLE USE:

The zoning regulations applicable to the property do not allow for a reasonable use because:
 Alamo Street is closed and the city has no plans to build the street. Alamo Street functions
 vacant land. A "Right of Way Vacation" is not applicable because an open drainage easement runs the length of the closed street. A 15 foot setback serves no purpose because no street exists.

HARDSHIP:

(a) T	he hardship for which the variance is requested is unique to the property in that:
В	ecause of site constraints—and in order to prevent residents from backing onto 12 th street—a
si	nared access drive will be constructed on the site. This drive will require 20' on the west side of t te. The combination of the 15' setback and the 20' drive would limit the structure to pproximately 20' deep.
` '	The hardship is not general to the area in which the property is located because: his section of Alamo Street is not constructed. Existing structures on adjacent sites have been
C	onstructed in the setback.

AREA CHARACTER:

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

The adjacent land (Alamo Street) is vacant and is an open drainage easement. The surrounding lots consist of single family residences.

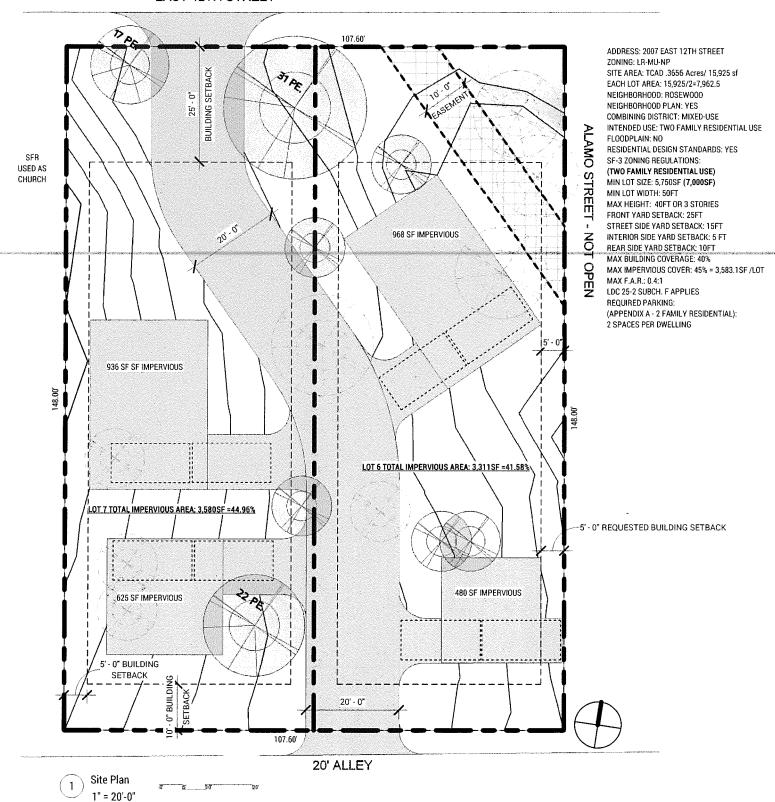
PARKING: (Additional criteria for parking variances only.)

Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

2.	The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:
3.	The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:
4.	The variance will run with the use or uses to which it pertains and shall not run with
	the site because:
N	OTE: The Board cannot grant a variance that would provide the applicant with a special
	privilege not enjoyed by others similarly situated or potentially similarly situated.
	PLICANT CERTIFICATE – I affirm that my statements contained in the complete plication are true and correct to the best of my knowledge and belief.
Sig	med Mail Address_212 Fletcher St
Cit	y, State & Zip Austin, TX 78704
Pri	nted John Taylor Jackson Phone 512.461.4255 Date 1/22/2015
	VNERS CERTIFICATE – I affirm that my statements contained in the complete application true and correct to the best of my knowledge and belief.
Sig	ned Kark Mail Address 8500 Adirondack Cove
	y, State & ZipAustin, TX 78759
Prii	nted Kacee Jackson Phone 512-789-2833 Date 10/20/2014

EAST 12TH STREET

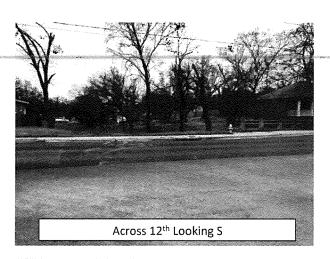


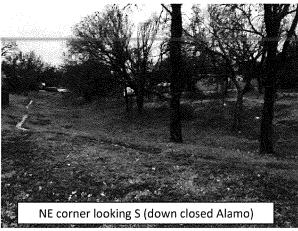


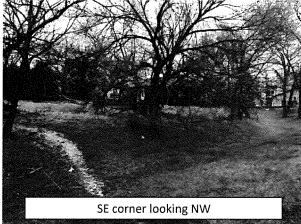
2007 EAST 12TH JACKSON RESIDENTIAL

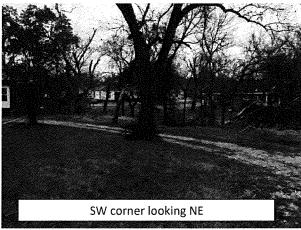
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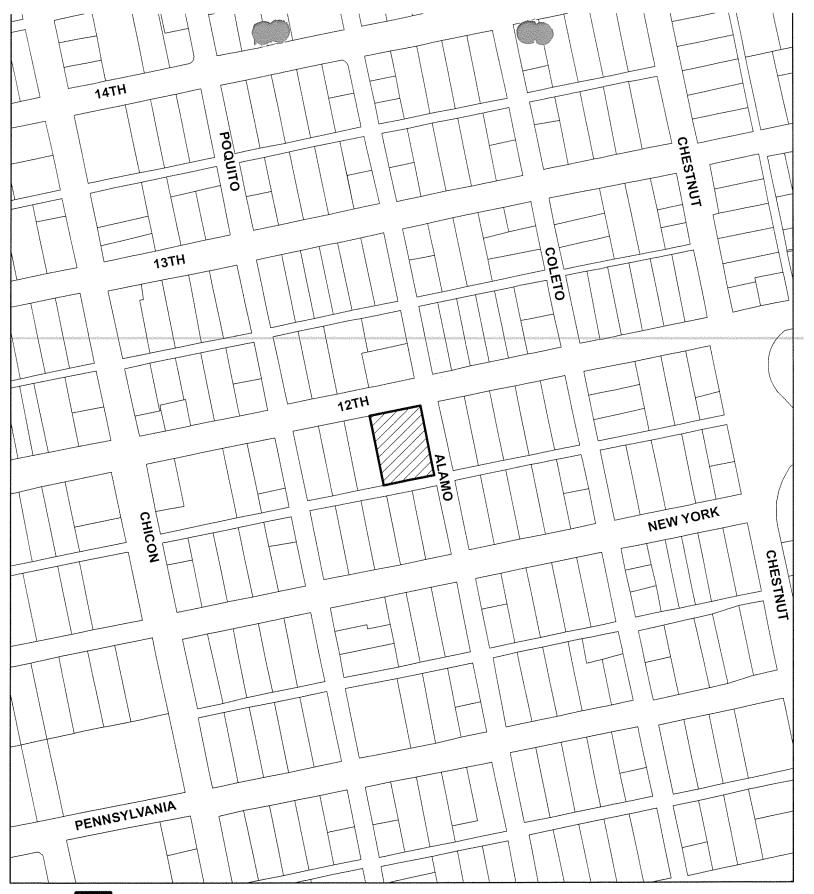
A1















SUBJECT TRACT



PENDING CASE

ZONING BOUNDARY

CASE#: C15-2015-0035

Address: 2007 E 12TH STREET

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.



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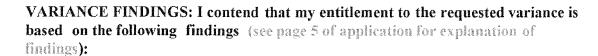


CASE# <u>U5-2015-0035</u>
ROW# 112901032
TAX# <u>D20809090</u>

CITY OF AUSTIN APPLICATION TO BOARD OF ADJUSTMENT GENERAL VARIANCE/PARKING VARIANCE

WARNING: Filing of this appeal stops all affected construction activity.

PLEASE: APPLICATION MUST BE TYPED WITH ALL REQUESTED INFORMATION COMPLETED.
STREET ADDRESS: 2007 E 12 th Street 78702
LEGAL DESCRIPTION: Subdivision – Foster Lot(s) 6 & 7 Block 15 Outlot 58 Division B
I/We John Taylor Jackson on behalf of myself/ourselves as authorized agent for
Kacee Jackson affirm that on January, 22,
2015 hereby apply for a hearing before the Board of Adjustment for consideration to: (check appropriate items below and state what portion of the Land Development Code you are seeking a variance from) VERECTATTACHCOMPLETEREMODELMAINTAIN
Erect a two-family dwelling (Single Family Residence plus Accessory Dwelling Unit) with no side street setback. (Alamo Street, adjacent to the property, was never built out).
in a <u>LR - MU - NP</u> district. (zoning district)
NOTE: The Board must determine the existence of, sufficiency of and weight of evidence supporting the findings described below. Therefore, you must complete each of the applicable Findings Statements as part of your application. Failure to do so may result in your application being rejected as incomplete. Please attach any additional support documents.



REASONABLE USE:

 The zoning regulations applicable to the property do not allow for a reasonable use because:
 Alamo Street is closed and the city has no plans to build the street. Alamo Street functions

vacant land. A "Right of Way Vacation" is not applicable because an open drainage easement runs the length of the closed street. A 15 foot setback serves no purpose because no street exists.

HARDSHIP:

2. (a) The hardship for which the variance is requested is unique to the property in that:
Because of site constraints—and in order to prevent residents from backing onto 12 th street—a
shared access drive will be constructed on the site. This drive will require 20' on the west side of th site. The combination of the 15' setback and the 20' drive would limit the structure to approximately 20' deep.
(b) The hardship is not general to the area in which the property is located because:
This section of Alamo Street is not constructed. Existing structures on adjacent sites have been constructed in the setback.

AREA CHARACTER:

3. The variance will not alter the character of the area adjacent to the property, will not impair the use of adjacent conforming property, and will not impair the purpose of the regulations of the zoning district in which the property is located because:

The adjacent land (Alamo Street) is vacant and is an open drainage easement. The surrounding lots consist of single family residences.

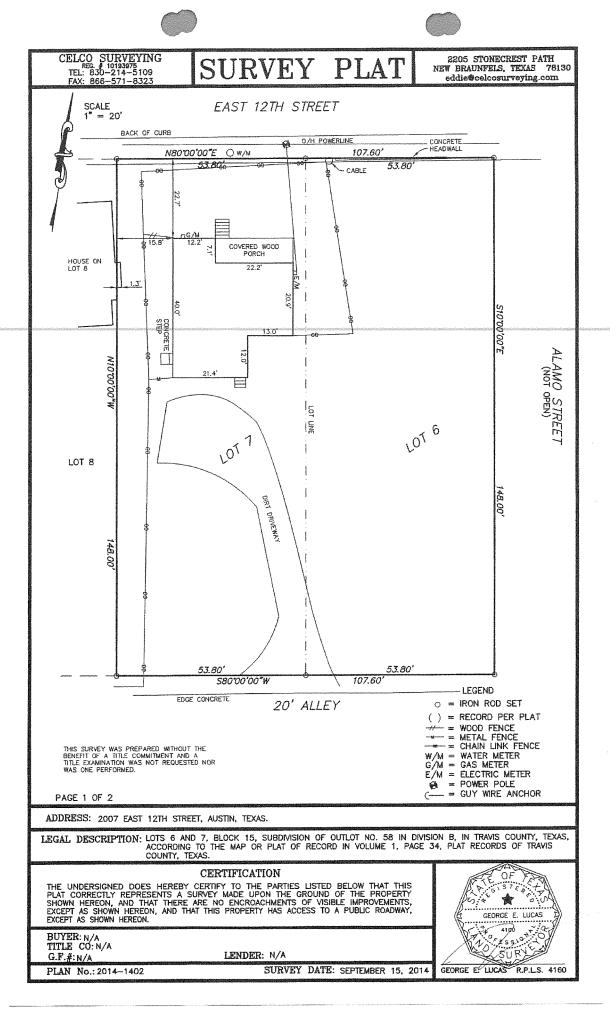
PARKING: (Additional criteria for parking variances only.)

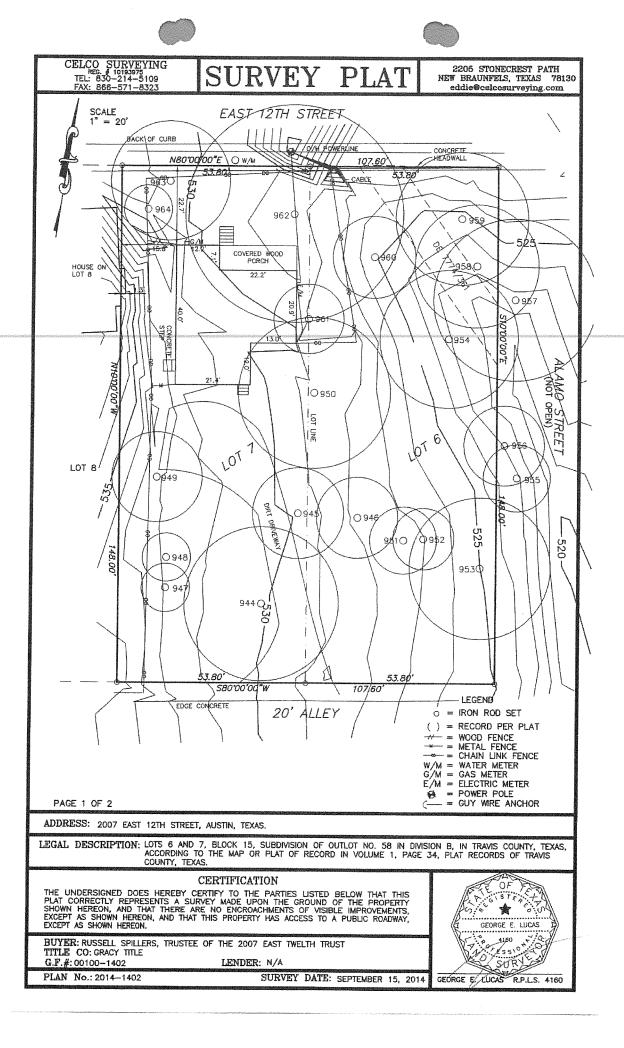
Request for a parking variance requires the Board to make additional findings. The Board may grant a variance to a regulation prescribed Section 479 of Chapter 25-6 with respect to the number of off-street parking spaces or loading facilities required if it makes findings of fact that the following additional circumstances also apply:

1. Neither present nor anticipated future traffic volumes generated by the use of the site or the uses of sites in the vicinity reasonable require strict or literal interpretation and enforcement of the specific regulation because:

2.	The granting of this variance will not result in the parking or loading of vehicles on public streets in such a manner as to interfere with the free flow of traffic of the streets because:
3.	The granting of this variance will not create a safety hazard or any other condition inconsistent with the objectives of this Ordinance because:
··· State of the s	
4.	The variance will run with the use or uses to which it pertains and shall not run with the site because:

N	OTE: The Board cannot grant a variance that would provide the applicant with a special privilege not enjoyed by others similarly situated or potentially similarly situated.
app	PLICANT CERTIFICATE – I affirm that my statements contained in the complete olication are true and correct to the best of my knowledge and belief. Mail Address 212 Fletcher St
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Prir	ated John Taylor Jackson Phone 512.461.4255 Date 1/22/2015
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	med Mail Address 8500 Adirondack Cove
Prir	tted <u>Kacee Jackson</u> Phone <u>512-789-2833</u> Date <u>10/20/2014</u>









2205 STONECREST PATH
NEW BRAUNFELS, TEXAS 78130
eddie@celcosurveying.com



SCALE 1" = 20'

FAX: 866-571-8323

TREE LIST

TREE TAG NO SIZE 22" **PECAN** 944 945 13" PECAN 11.6" LIVE OAK 946 6.9" 6.9" HACKBERRY 947 HACKBERRY 948 12.9" 21.7" PECAN 949 PECAN 950 951 9.6" HACKBERRY 8.8" 952 LIVE OAK 20.2" 19.8" 953 LIVE OAK 954 LIVE OAK 9.6" UNKNOWN
8.5" & 6" UNKNOWN
23.3" LIVE OAK
17.7" LIVE OAK
19" UNKNOWN 955 956 957 958 959 11.8" 10" HACKBERRY 960 PECAN 31.1" PECAN 17" PECAN 961 PECAN 962 963 6.9" LIVE OAK 964

PAGE 2 OF 2

ADDRESS: 2007 EAST 12TH STREET, AUSTIN, TEXAS.

LEGAL DESCRIPTION: LOTS 6 AND 7, BLOCK 15, SUBDIVISION OF OUTLOT NO. 58 IN DIVISION B, IN TRAVIS COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT OF RECORD IN VOLUME 1, PAGE 34, PLAT RECORDS OF TRAVIS COUNTY, TEXAS.

CERTIFICATION

THE UNDERSIGNED DOES HEREBY CERTIFY TO THE PARTIES LISTED BELOW THAT THIS PLAT CORRECTLY REPRESENTS A SURVEY MADE UPON THE GROUND OF THE PROPERTY SHOWN HEREON, AND THAT THERE ARE NO ENCROACHMENTS OF VISIBLE IMPROVEMENTS, EXCEPT AS SHOWN HEREON, AND THAT THIS PROPERTY HAS ACCESS TO A PUBLIC ROADWAY, EXCEPT AS SHOWN HEREON.

BUYER: N/A TITLE CO: N/A G.F.#:N/A

LENDER: N/A

PLAN No.: 2014-1402

SURVEY DATE: SEPTEMBER 15, 2014



GEORGE E LUCAS R.P.LS. 4160



Variance Request

Prepared for the City of Austin Board of Adjustments

By: Taylor Jackson

Hearing Date: March 09, 2015

2007 East 12th Street

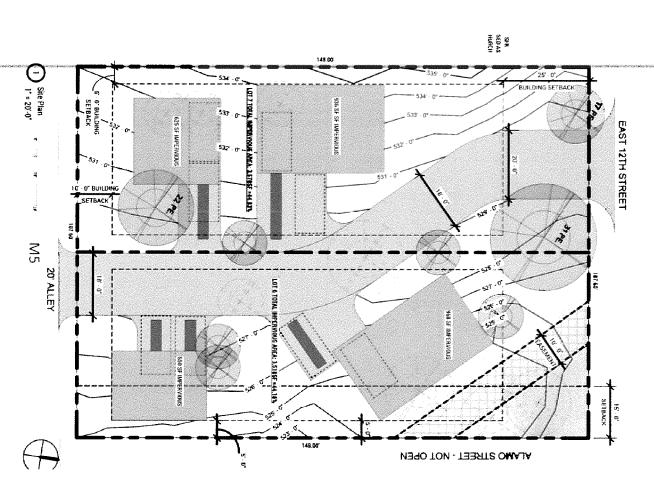
A request to reduce the side-yard setback to 5 feet

Why is this variance being requested?

Six Reasons:

- Proposed site plan ensures safer ingress and egress
- 2. Adjacent street (Alamo) is closed
- City does not intend to build Alamo St
- Adjacent structures are set back 5 feet
- Design coheres with the character of surrounding structures
- Proposed site plan does not impact neighboring properties

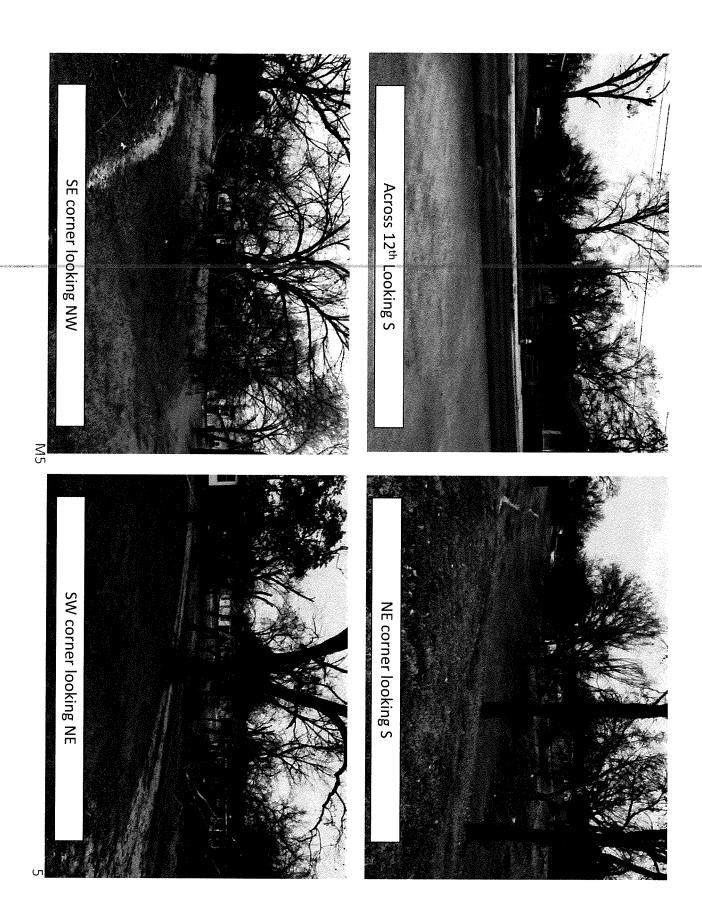
1. The proposed site plan ensures safer ingress and egress



2. The adjacent street (Alamo) is closed



Μ5



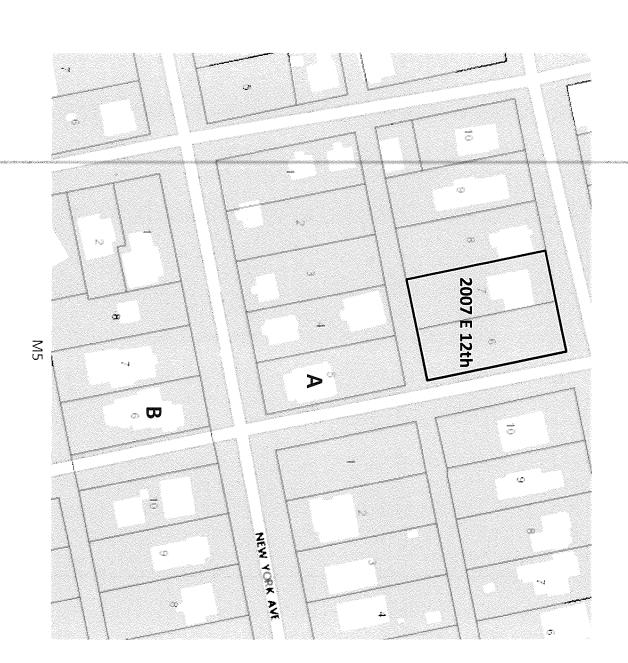
The city does not intend to build Alamo Street

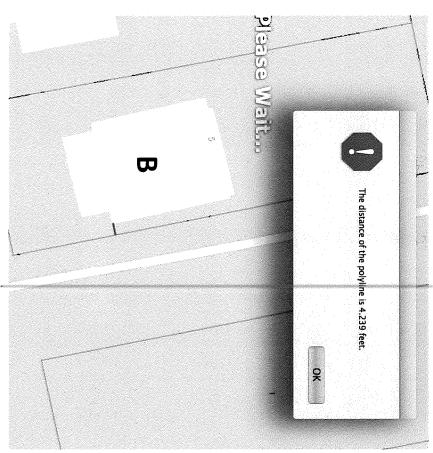
Hi Taylor,

no plans to complete Alamo Street between East 12th Street and New York rely on builders to build our local streets for us. While we will retain the current Thank you, Avenue. I hope this is of use for you. In general, the Austin Transportation Department does not build local streets; we Alamo St right of way for pedestrian or bicycle connectivity, there are currently

A. Lee Austin, P.E.
Traffic Engineering Division
Transportation Department
Austin, TX
512-974-7681

4. Adjacent structures are set back 5 feet





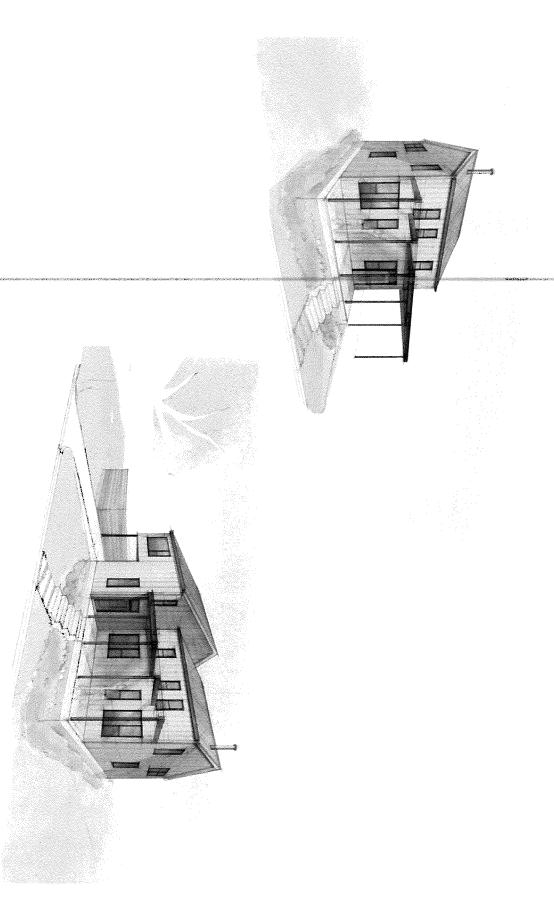
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5 ft setback)

(5 ft setback)

5. Design coheres with the character of adjacent structures



9

6. The site plan does not impact neighboring properties



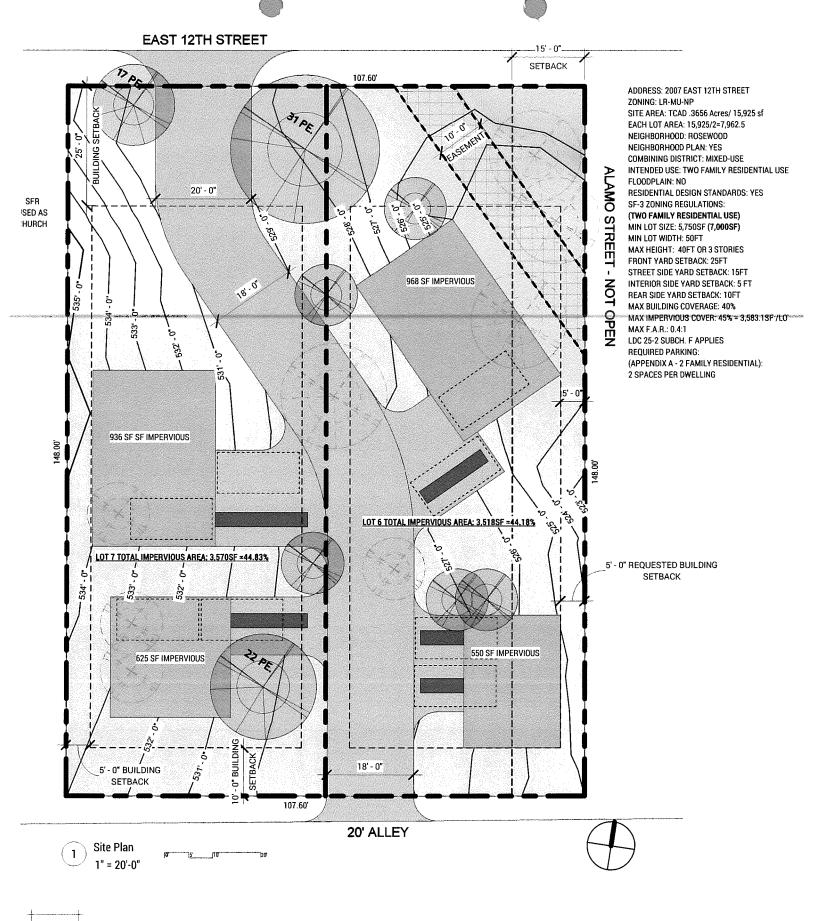
Variance Request

Prepared for the City of Austin Board of Adjustments

Thank You!

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2007 EAST 12TH JACKSON RESIDENTIAL

03.08.15

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